# STATE OF CONNECTICUT

# **House of Representatives**

General Assembly

File No. 889

January Session, 2019

Substitute House Bill No. 7109

House of Representatives, May 16, 2019

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

# AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOL PROGRAM FUNDING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- Section 1. Subsection (c) of section 10-264*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*
- 3 1, 2019):
- 4 (c) (1) The maximum amount each interdistrict magnet school
- 5 program, except those described in subparagraphs (A) to (G),
- 6 inclusive, of subdivision (3) of this subsection, shall be eligible to
- 7 receive per enrolled student who is not a resident of the town
- 8 operating the magnet school shall be (A) six thousand sixteen dollars
- 9 for the fiscal year ending June 30, 2008, (B) six thousand seven
- 10 hundred thirty dollars for the fiscal years ending June 30, 2009, to June
- 11 30, 2012, inclusive, [and] (C) seven thousand eighty-five dollars for the
- 12 fiscal [year] years ending June 30, 2013, to June 30, 2019, inclusive, and
- 13 (D) seven thousand two hundred twenty-seven dollars for the fiscal
- 14 <u>year ending June 30, 2020,</u> and each fiscal year thereafter. The per

pupil grant for each enrolled student who is a resident of the town operating the magnet school program shall be (i) three thousand dollars for the fiscal [year] years ending June 30, 2008, to June 30, 2019, inclusive, and (ii) three thousand sixty dollars for the fiscal year ending June 30, 2020, and each fiscal year thereafter.

- (2) For the fiscal year ending June 30, 2003, and each fiscal year thereafter, the commissioner may, within available appropriations, provide supplemental grants for the purposes of enhancing educational programs in such interdistrict magnet schools, as the commissioner determines. Such grants shall be made after the commissioner has conducted a comprehensive financial review and approved the total operating budget for such schools, including all revenue and expenditure estimates.
- (3) (A) Except as otherwise provided in subparagraphs (C) to (G), inclusive, of this subdivision, each interdistrict magnet school operated by a regional educational service center that enrolls less than fifty-five per cent of the school's students from a single town shall receive a per pupil grant in the amount of (i) six thousand two hundred fifty dollars for the fiscal year ending June 30, 2006, (ii) six thousand five hundred dollars for the fiscal year ending June 30, 2007, (iii) seven thousand sixty dollars for the fiscal year ending June 30, 2008, (iv) seven thousand six hundred twenty dollars for the fiscal years ending June 30, 2009, to June 30, 2012, inclusive, [and] (v) seven thousand nine hundred dollars for the fiscal [year] years ending June 30, 2013, to June 30, 2019, inclusive, and (vi) eight thousand fifty-eight dollars for the fiscal year ending June 30, 2020, and each fiscal year thereafter.
  - (B) Except as otherwise provided in subparagraphs (C) to (G), inclusive, of this subdivision, each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent of the school's students in the amount of (i) six thousand sixteen dollars for the fiscal year ending

48 June 30, 2008, (ii) six thousand seven hundred thirty dollars for the 49 fiscal years ending June 30, 2009, to June 30, 2012, inclusive, [and] (iii) 50 seven thousand eighty-five dollars for the fiscal [year] years ending 51 June 30, 2013, to June 30, 2019, inclusive, and (iv) seven thousand two 52 hundred twenty-seven dollars for the fiscal year ending June 30, 2020, 53 and each fiscal year thereafter. The per pupil grant for each enrolled 54 student who is a resident of the district that enrolls at least fifty-five 55 per cent of the school's students shall be three thousand one hundred 56 fifty dollars.

(C) (i) For the fiscal [year] years ending June 30, 2015, [and each fiscal year thereafter] to June 30, 2019, inclusive, each interdistrict magnet school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per cent of the school's students from a single town, shall receive a per pupil grant [(i)] (I) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, [(ii)] (II) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of three thousand dollars, [(iii)] (III) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, and [(iv)] (IV) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of seven thousand eighty-

57

58 59

60

61

62

63

64

65 66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

83 five dollars.

84

85

86

87

88 89

90 91

92 93

94

95 96

97

98

99

100

101102

103104

105

106107

108109

110

111

112

113114

115

116

(ii) For the fiscal year ending June 30, 2020, and each fiscal year thereafter, each interdistrict magnet school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per cent of the school's students from a single town, shall receive a per pupil grant (I) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand three hundred fortyfour dollars, (II) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of three thousand sixty dollars, (III) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand three hundred forty-four dollars, and (IV) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of seven thousand two hundred twenty-seven dollars.

(D) (i) Except as otherwise provided in subparagraph (D)(ii) of this [subparagraph] <u>subdivision</u>, each interdistrict magnet school operated by (I) a regional educational service center, (II) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (III) the Board of Trustees of the Connecticut State University System on behalf of a state university, (IV) the Board of Trustees for The University of Connecticut on behalf of the university,

117 (V) the board of governors for an independent institution of higher 118 education, as defined in subsection (a) of section 10a-173, or the 119 equivalent of such a board, on behalf of the independent institution of higher education, except as otherwise provided in subparagraph (E) of 120 121 this subdivision, (VI) cooperative arrangements pursuant to section 10-122 158a, (VII) any other third-party not-for-profit corporation approved 123 by the commissioner, and (VIII) the Hartford school district for the 124 operation of Great Path Academy on behalf of Manchester Community 125 College, that enrolls less than sixty per cent of its students from 126 Hartford shall receive a per pupil grant in the amount of nine 127 thousand six hundred ninety-five dollars for the fiscal year ending 128 June 30, 2010, [and] ten thousand four hundred forty-three dollars for 129 the fiscal years ending June 30, 2011, to June 30, 2019, inclusive, and ten thousand six hundred fifty-two dollars for the fiscal year ending 130 131 June 30, 2020, and each fiscal year thereafter.

(ii) For the fiscal [year] years ending June 30, 2016, [and each fiscal year thereafter] to June 30, 2019, inclusive, any interdistrict magnet school described in subparagraph (D)(i) of this [subparagraph] subdivision that enrolls less than fifty per cent of its incoming students from Hartford shall receive a per pupil grant in the amount of seven thousand nine hundred dollars for one-half of the total number of non-Hartford students enrolled in the school over fifty per cent of the total school enrollment and shall receive a per pupil grant in the amount of ten thousand four hundred forty-three dollars for the remainder of the total school enrollment. For the fiscal year ending June 30, 2020, and each fiscal year thereafter, any interdistrict magnet school described in subparagraph (D)(i) of this subdivision that enrolls less than fifty per cent of its incoming students from Hartford shall receive a per pupil grant in the amount of eight thousand fifty-eight dollars for one-half of the total number of non-Hartford students enrolled in the school over fifty per cent of the total school enrollment and shall receive a per pupil grant in the amount of ten thousand six hundred fifty-two dollars for the remainder of the total school enrollment.

(E) For the fiscal year ending June 30, 2015, and each fiscal year

132

133

134

135

136

137

138

139

140141

142

143

144

145

146

147

148

149

thereafter, each interdistrict magnet school operated by the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, that (i) began operations for the school year commencing July 1, 2014, (ii) enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, and (iii) enrolls students at least half-time, shall be eligible to receive a per pupil grant (I) equal to sixty-five per cent of the grant amount determined pursuant to subparagraph (D) of this subdivision for each student who is enrolled at such school for at least two semesters in each school year, and (II) equal to thirty-two and one-half per cent of the grant amount determined pursuant to subparagraph (D) of this subdivision for each student who is enrolled at such school for one semester in each school year.

- (F) Each interdistrict magnet school operated by a local or regional board of education, pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, shall receive a per pupil grant for each enrolled student who is not a resident of the district in the amount of (i) twelve thousand dollars for the fiscal year ending June 30, 2010, [and] (ii) thirteen thousand fifty-four dollars for the fiscal years ending June 30, 2011, to June 30, 2019, inclusive, and (iii) thirteen thousand three hundred fifteen dollars for the fiscal year ending June 30, 2020, and each fiscal year thereafter.
- (G) In addition to the grants described in subparagraph (E) of this subdivision, for the fiscal year ending June 30, 2010, the commissioner may, subject to the approval of the Secretary of the Office of Policy and Management and the Finance Advisory Committee, established pursuant to section 4-93, provide supplemental grants to the Hartford school district of up to one thousand fifty-four dollars for each student enrolled at an interdistrict magnet school operated by the Hartford school district who is not a resident of such district.

(H) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, the half-day Greater Hartford Academy of the Arts interdistrict magnet school operated by the Capital Region Education Council shall be eligible to receive a per pupil grant equal to sixty-five per cent of the per pupil grant specified in subparagraph (A) of this subdivision.

- (I) For the fiscal years ending June 30, 2016, to June 30, 2018, inclusive, the half-day Greater Hartford Academy of Mathematics and Science interdistrict magnet school operated by the Capitol Region Education Council shall be eligible to receive a per pupil grant equal to six thousand seven hundred eighty-seven dollars for (i) students enrolled in grades ten to twelve, inclusive, for the fiscal year ending June 30, 2016, (ii) students enrolled in grades eleven and twelve for the fiscal year ending June 30, 2017, and (iii) students enrolled in grade twelve for the fiscal year ending June 30, 2018. For the fiscal year ending June 30, 2016, and each fiscal year thereafter, the half-day Greater Hartford Academy of Mathematics and Science interdistrict magnet school shall not be eligible for any additional grants pursuant to subsection (c) of this section.
- (4) For the fiscal years ending June 30, 2015, and June 30, 2016, the department may limit payment to an interdistrict magnet school operator to an amount equal to the grant that such magnet school operator was eligible to receive based on the enrollment level of the interdistrict magnet school program on October 1, 2013. Approval of funding for enrollment above such enrollment level shall be prioritized by the department as follows: (A) Increases in enrollment in an interdistrict magnet school program that is adding planned new grade levels for the school years commencing July 1, 2015, and July 1, 2016; (B) increases in enrollment in an interdistrict magnet school program that added planned new grade levels for the school year commencing July 1, 2014, and was funded during the fiscal year ending June 30, 2015; (C) increases in enrollment in an interdistrict magnet school program that is moving into a permanent facility for the school years commencing July 1, 2014, to July 1, 2016, inclusive; (D) increases in

219 enrollment in an interdistrict magnet school program to ensure 220 compliance with subsection (a) of this section; and (E) new enrollments 221 for a new interdistrict magnet school program commencing operations 222 on or after July 1, 2014, pursuant to the 2013 stipulation and order for 223 Milo Sheff, et al. v. William A. O'Neill, et al., as extended. Any 224 interdistrict magnet school program operating less than full-time, but 225 at least half-time, shall be eligible to receive a grant equal to sixty-five 226 per cent of the grant amount determined pursuant to this subsection.

- (5) For the fiscal year ending June 30, 2017, the department may limit payment to an interdistrict magnet school operator to an amount equal to the grant that such magnet school operator was eligible to receive based on the enrollment level of the interdistrict magnet school program on October 1, 2013, or October 1, 2015, whichever is lower. Approval of funding for enrollment above such enrollment level shall be prioritized by the department as follows: (A) Increases in enrollment in an interdistrict magnet school program that is adding planned new grade levels for the school years commencing July 1, 2015, and July 1, 2016; (B) increases in enrollment in an interdistrict magnet school program that added planned new grade levels for the school year commencing July 1, 2014, and was funded during the fiscal year ending June 30, 2015; (C) increases in enrollment in an interdistrict magnet school program that added planned new grade levels for the school year commencing July 1, 2015, and was funded during the fiscal year ending June 30, 2016; and (D) increases in enrollment in an interdistrict magnet school program to ensure compliance with subsection (a) of this section. Any interdistrict magnet school program operating less than full-time, but at least half-time, shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.
- (6) For the fiscal year ending June 30, 2018, and within available appropriations, the department may limit payment to an interdistrict magnet school operator to an amount equal to the grant that such magnet school operator was eligible to receive based on the enrollment level of the interdistrict magnet school program on October 1, 2013,

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

October 1, 2015, or October 1, 2016, whichever is lower. Approval of funding for enrollment above such enrollment level shall be prioritized by the department and subject to the commissioner's approval, including increases in enrollment in an interdistrict magnet school program as a result of planned and approved new grade levels. Any interdistrict magnet school program operating less than full-time, but at least half-time, shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.

- (7) For the fiscal year ending June 30, 2019, and within available appropriations, the department may limit payment to an interdistrict magnet school operator to an amount equal to the grant that such magnet school operator was eligible to receive based on the enrollment level of the interdistrict magnet school program on October 1, 2013, October 1, 2015, October 1, 2016, or October 1, 2017, whichever is lower. Approval of funding for enrollment above such enrollment level shall be prioritized by the department and subject to the commissioner's approval, including increases in enrollment in an interdistrict magnet school program as a result of planned and approved new grade levels. Any interdistrict magnet school program operating less than full-time, but at least half-time, shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.
- (8) Within available appropriations, the commissioner may make grants to the following entities that operate an interdistrict magnet school that assists the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner and that provide academic support programs and summer school educational programs approved by the commissioner to students participating in such interdistrict magnet school program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state

university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.

- (9) Within available appropriations, the Commissioner of Education may make grants, in an amount not to exceed seventy-five thousand dollars, for start-up costs associated with the development of new interdistrict magnet school programs that assist the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner, to the following entities that develop such a program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional communitytechnical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.
- (10) The amounts of the grants determined pursuant to this subsection shall be proportionately adjusted, if necessary, within available appropriations, and in no case shall the total grant paid to an interdistrict magnet school operator pursuant to this section exceed the aggregate total of the reasonable operating budgets of the interdistrict magnet school programs of such operator, less revenues from other sources.

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

This act shall take effect as follows and shall amend the following sections:

Section 1 July 1, 2019 10-2641(c)

**ED** Joint Favorable C/R APP

APP Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### **OFA Fiscal Note**

### State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Education, Dept.	GF - Cost	6 million	6 million

Note: GF=General Fund

### Municipal Impact: None

### Explanation

The bill increases per pupil operating grants for interdistrict magnet school programs by two percent. The anticipated per pupil operating grants for interdistrict magnet schools, for FY 19, totals approximately \$298 million. A two percent increase results in an additional cost of \$6 million, annually. sHB 7148, the FY 20 and FY 21 budget bill, as favorably reported by the Appropriations Committee, appropriated \$6 million in both FY 20 and FY 21 for this purpose.

#### The Out Years

The out year costs are not subject to inflation as the per pupil magnet school operating grants are set in statute.

# OLR Bill Analysis sHB 7109

# AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOL PROGRAM FUNDING.

#### SUMMARY

This bill raises the maximum amount for all per-student interdistrict magnet school operating grants by 2% beginning in FY 20.

By law, the amount of state operating grants for each type of magnet school depends on whether or not (1) the school is run by a local school district ("host magnet") or a regional educational service center (RESC) or other entity and (2) whether it helps the state achieve the racial integration goals of the *Sheff* court stipulation ("*Sheff* magnet") or not ("non-*Sheff* magnet") (see BACKGROUND).

The bill also raises the maximum per student grant amounts for Thomas Edison Magnet Middle School in Meriden by 2% beginning in FY 20.

By law and unchanged by the bill, the amounts of the grants provided must be proportionately adjusted, if necessary, within available appropriations.

It also makes conforming changes.

EFFECTIVE DATE: July 1, 2019

### **MAGNET SCHOOL GRANT INCREASES**

Table 1 shows the various types of magnet schools and their grant amounts under current law and the bill for non-resident students (those attending from outside the host district). Generally, unless otherwise noted, magnet schools currently receive \$3,000 for each enrolled student who resides in the host district. The bill raises this per

student grant to \$3,060 beginning in FY 20. (Magnet school funding is in addition to Education Cost Sharing and other forms of state education funding.)

**Table 1: Magnet School Non-Resident Per-Student Grant Changes** 

Type of magnet school	Current law maximum amounts	Bill maximum amounts
Non-Sheff host magnet	\$7,085	\$7,227
Sheff host magnet	13,054	13,315
Non-Sheff RESC magnet with less than 55% enrollment from one town	7,900	8,058
Non-Sheff RESC magnet with 55% or more of enrollment from one town*	7,085	7,227
RESC magnet enrolling less than 60% of its students from Hartford (i.e., <i>Sheff</i> magnet)	10,443	10,652
RESC magnet enrolling less than 50% of its students from Hartford (i.e., <i>Sheff</i> magnet)	7,900 for half of the non- Hartford students enrolled over 50% of total enrollment, 10,443 for all the other students	8,058 for half of the non- Hartford students enrolled over 50% of total enrollment, 10,652 for all the other students

<sup>\*</sup>Excludes Thomas Edison Magnet Middle School, see below.

## Edison Magnet School Per-Student Operating Grant

Under current law the per-student grant for most students at the Thomas Edison Magnet Middle School in Meriden is \$8,180. The grant amount is lower for some of the students depending on (1) where the student resides and (2) whether the student is counted as part of the October 1, 2013 enrollment count or above it.

Under current law, for any additional students enrolled above the October 1, 2013 number, the grant is \$3,000 for students who reside in Meriden and \$7,085 for students from outside of Meriden. (The law affects a school that began operations in the 2001-02 school year and, for the 2008-09 school year, enrolled between 55% and 80% of its students from a single town, a description that applies only to the Edison Magnet Middle School.)

The bill increases each of these grant amounts as shown in Table 2.

	District Resident Students		District Non-Resident Students	
	Current law maximum amounts	Bill maximum amounts	Current law maximum amounts	Bill maximum amounts
Students at or Below the October 1, 2013 Enrollment Count	\$8,180	\$8,344	\$8,180	\$8,344
Students Above the October 1, 2013 Enrollment Count	3,000	3,060	7,085	7,227

**Table 2: Edison Magnet Middle School Per-Student Grant Changes** 

#### BACKGROUND

### Sheff v. O'Neill Court Decision and Settlement

Sheff is the 1996 landmark school desegregation case in which the state Supreme Court ruled that Hartford school children were not being given an equal educational opportunity because of racial and economic segregation (238 Conn. 1 (1996)). Settlement agreements subsequent to the *Sheff* decision rely on voluntary desegregation methods with towns in the *Sheff* region. Interdistrict magnet schools are part of the voluntary desegregation plan.

The region encompasses Hartford and its surrounding towns: Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor,

Ellington, Farmington, Glastonbury, Granby, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

### Interdistrict Magnet School

By law, an interdistrict magnet school is a public school designed to promote racial, ethnic, and economic diversity that draws students from more than one school district, offers a special and high-quality curriculum, and requires students to attend at least half time (CGS  $\S$  10-264l(a)).

#### **COMMITTEE ACTION**

**Education Committee** 

```
Joint Favorable Change of Reference - APP
Yea 37 Nay 0 (03/06/2019)
```

Appropriations Committee

```
Joint Favorable Substitute
Yea 35 Nay 13 (05/02/2019)
```